



3763

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): BERTOCH et al.

Serial No.: 09/894,880

Filed: June 29, 2001

Title: CATHETER SECURING DEVICE

Attorney Docket No.: ISR99-24 06

Assistant Commissioner for Patents
Washington, D.C. 20231

Group Art Unit: 3763

Examiner: Not Yet Assigned

#10

FIFTH INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

under 37 CFR 1.97(c) together with either a:
 Certification under 37 CFR 1.97(e), or
 a \$210.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

under 37 CFR 1.97(d) together with a:
 Certification under 37 CFR 1.97(e), and
 a petition under 37 CFR 1.97(d)(2)(ii), and
 a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Certification under 37 CFR 1.97(e)

No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned, after making reasonable inquiry, was known to an individual designated in 37 CFR 1.56(e) more than three months prior to filing of the Information Disclosure Statement.

RECEIVED
AUG 13 2002
TC 3700 MAIL ROOM

Statement Under 37 CFR 1.704 (d)

The item of information contained in this information disclosure statement was published on July 18, 2002 and thus was not available for submission to the U.S. Patent and Trademark Office. Therefore, it is requested that this statement fall within the intent of the statement required under 37 CFR 1.704(d)

Applicants submit herewith Form PTO 1449-Information Disclosure Citation by Applicant with a copy of patent application of which Applicants have become recently aware of, which Applicants believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

Neither this statement nor the listing of these documents on the accompanying form PTO-1449 should be considered as an admission by Applicants that these materials are prior art as to Applicants. In addition, this statement should not be construed as a representation that no better disclosures exist.

Entry of the Information Disclosure Statement and the accompanying Form PTO-1449 are respectfully solicited.

Respectfully submitted,



Maurice U. Cann
Reg. No. 30454
CAHN & SAMUELS, LLP
2000 P Street, N.W., Suite 200
Washington, DC 20036
Telephone: (202) 331-8777
Facsimile: (202) 331-3838

August 9, 2002